

ST. LOUIS OZONE DESIGNATION REMAND AND I/M REMOVAL (MISSOURI)

ISSUE SUMMARY:

As part of the 2015 Ozone NAAQS designations, EPA designated Jefferson County and a portion of Franklin County, which were historically included in the St. Louis ozone nonattainment area, as attainment. Because of the attainment designation, Missouri requested removal of the requirement for vehicle Inspection/Maintenance (I/M) for these counties on November 12, 2019. In July 2020, the D.C. Circuit remanded the Jefferson County attainment designation back to EPA for reconsideration. (b)(5) Attorney-Client Privilege

MDNR, the Missouri Legislature, and citizens are interested in the outcome of the vehicle I/M removal request.

UPCOMING MILESTONES:

- EPA Region 7 will support OAR in its development of an approach for addressing the ozone remand.

BACKGROUND:

In June 2018, EPA finalized a Marginal Ozone Nonattainment Boundary designation in St. Louis that excludes two historic ozone nonattainment counties: Jefferson County and the majority of Franklin County, Missouri. After finalization of this new ozone boundary, Missouri requested EPA remove the requirements of the vehicle I/M program in the two newly designated attainment counties from their State Implementation Plan (SIP). An I/M program has been in place in St. Louis since 1984 to lower emissions associated with ozone formation (smog).

Multiple petitioners (i.e., several environmental and public health advocacy groups, three local government agencies, and the state of Illinois) filed six petitions for review challenging the EPA's 2015 ozone NAAQS designations. The D.C. Circuit Court consolidated the petitions into a single case, *Clean Wisconsin v. EPA*. On July 10, 2020, the D.C. Circuit Court issued their decision and remanded several areas back to EPA including the Jefferson County, Missouri, attainment designation.

KEY EXTERNAL STAKEHOLDERS:

☐ Congress ☒ Industry ☒ States ☐ Tribes ☐ Media ☐ Other Federal Agency
☒ NGO ☒ Local Governments ☐ Other (name of stakeholder) _____

MOVING FORWARD:

Region 7, along with the other Regions affected by the D.C. Circuit's July 10, 2020, decision, will work with OAR on a path forward to address the remand.

LEAD OFFICE/REGION: OAR OTHER KEY OFFICES/REGIONS: REGION 7

OAR will play a key role and will be the lead office for the remand decision. Region 7 will provide technical support to OAR in addressing the remand.